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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,834	08/29/2001	Scott B. Gorthy	CNTW-007/00US	9237
22903	7590	09/16/2005	EXAMINER	
COOLEY GODWARD LLP ATTN: PATENT GROUP 11951 FREEDOM DRIVE, SUITE 1700 ONE FREEDOM SQUARE- RESTON TOWN CENTER RESTON, VA 20190-5061			PHILLIPS, HASSAN A	
			ART UNIT	PAPER NUMBER
			2151	
DATE MAILED: 09/16/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/942,834

Applicant(s)

GORTHY ET AL.

Examiner

Hassan Phillips

Art Unit

2151

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 March 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/31/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The Information Disclosure Statement's (IDS) filed on January 8, 2002, April 17, 2002, July, 16, 2003, March 5, 2004, and March 31, 2005, have been received by the Examiner. The non-patent literature document "Directory Enabled Networks" listed in the IDS filed January 8, 2002, has not been considered since Applicant failed to supply a copy of this document.

### ***Claim Rejections - 35 USC § 101***

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claim 26 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A "carrier wave" is not a useful process, machine, manufacture, or composition of matter.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 5-7, 12-14, 16-26, 28, 29, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandick et al. (hereinafter Sandick), U.S. Patent 6,684,241, in view of Little et al. (hereinafter Little), U.S. Patent Pub. No. 2003/0048287 (see Applicants IDS).

6. In considering claims 1, 28, and 29, Sandick teaches a method and system for configuring a router (14), the method comprising: receiving a configuration command for the router, (col. 6, lines 34-58); and providing the configuration command to the router, (col. 6, lines 34-58).

Although the teachings of Sandick show substantial features of the claimed invention they fail to expressly disclose: the configuration command being XML-based, and translating the XML-based command to a CLI-based configuration command and accessing a configuration schema associated with the router.

Nevertheless, in a similar field of endeavor, Little teaches a command line interface abstraction engine in which XML-based commands are translated to CLI-based commands for an embedded system, (page 1, paragraph 8), by means of a DTD-schema (page 4, paragraphs 63-65).

Thus, given the teachings of Little, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Sandick with Little to show translating XML-based configuration commands to CLI-based configuration commands and accessing a configuration schema associated with the router. This would have

advantageously provided a generalized user interface to CLI-based routers that were known in the art to be difficult to manage and maintain, (Little, page 1, paragraph 7).

7. In considering claim 2, the teachings of Sandick provide a means for the router being a first router and wherein accessing the configuration schema comprises: accessing a configuration schema generated by: accessing a second router, (col. 3, lines 42-64); retrieving a CLI-based command set from the second router, (col. 3, line 65-col. 4, line 57); and generating the configuration schema from the retrieved command set, (col. 3, lines 42-64).

8. In considering claim 3, Sandick further provides a means for: determining a characteristic for the router, (col. 6, lines 34-61); wherein the accessed configuration schema corresponds to the determined characteristic for the router, (col. 6, lines 34-61).

9. In considering claim 5, the teachings of Sandick provide a means for providing the CLI-based command to a configuration storage module (22) associated with the router, (col. 3, lines 42-64).

10. In considering claims 6, 24, and 26, Sandick teaches an electronic method and computer program product comprising: accessing a network component (14, 16), (col. 4, line 65-col. 5, line 38); retrieving a command set from the network component, (col. 4, line 65-col. 5, line 38); generating configuration data using the retrieved

command set, wherein the generated configuration data corresponds to the network component, (col. 5, line 53-col. 6, line 19); and storing the generated configuration data, (col. 5, line 53-col. 6, line 19).

Although the teachings of Sandick show substantial features of the claimed invention they fail to expressly disclose: generating a configuration schema and storing the schema.

Nevertheless, in a similar field of endeavor, Little teaches a command line interface abstraction engine in which XML-based commands are translated to CLI-based commands for an embedded system, (page 1, paragraph 8), by means of a DTD-schema (page 4, paragraphs 63-65).

Thus, given the teachings of Little, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Sandick with Little to show generating a configuration schema associated with the network component and storing the generated configuration schema. This would have advantageously allowed for providing generalized commands, (Little, page 1, paragraph 7) and ensured a description of the configuration data stored was constructed and named in a conformant manner, (Little, page 4, paragraph 63).

11. In considering claims 7 and 25, Sandick teaches activating a command extraction mode of the network component, (col. 4, line 65-col. 5, line 38).

12. In considering claim 12, although the teachings of Sandick disclose substantial features of the claimed invention, they fail to expressly disclose: cleansing the retrieved command set.

Nevertheless, Sandick does teach calculating any necessary data for the retrieved command set, (col. 5, line 53-col. 6, line 19).

Thus, it would have been obvious to a person of ordinary skill at the time of the present invention to modify the teachings of Sandick to cleansing the retrieved command set. This would advantageously provided efficient storing of the configuration data, (Sandick, col. 6, lines 12-19).

13. In considering claim 13, Sandick teaches: determining a characteristic for the network component, (col. 4, line 65-col. 5, line 38).

14. In considering claim 14, the teachings of Sandick provide a means for: storing the generated configuration schema in accordance with the determined characteristic, (col. 6, lines 12-19).

15. In considering claim 16, Sandick teaches: accessing a network component comprising accessing a router (14), (col. 4, line 65-col. 5, line 38).

16. In considering claim 17, Sandick teaches a system comprising: a processor: a configuration interface (18) connected to the processor, (col. 3, lines 42-64); and a

configuration command storage module (22) connected to the processor, (col. 3, lines 42-64).

Although the teachings of Sandick show substantial features of the claimed invention they fail to expressly disclose: a converter and a configuration schema storage device.

Nevertheless, in a similar field of endeavor, Little teaches a command line interface abstraction engine in which XML-based commands are translated to CLI-based commands for an embedded system, (page 1, paragraph 8), by means of a DTD-schema (page 4, paragraphs 63-65).

Thus, given the teachings of Little, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Sandick with Little to show a converter connected to the processor and a configuration schema device connected to the converter. This would have advantageously allowed for providing generalized commands, (Little, page 1, paragraph 7) and ensured a description of the configuration data stored was constructed and named in a conformant manner, (Little, page 4, paragraph 63).

17. In considering claim 18, the teachings of Sandick provide a means for accessing a network component (14, 16), (col. 4, line 65-col. 5, line 38); retrieving a command set from the network component, (col. 4, line 65-col. 5, line 38); generating a configuration schema corresponding to the network component, wherein the



configuration schema is based upon the retrieved command set, (col. 5, line 53-col. 6, line 19); and storing the generated configuration schema, (col. 5, line 53-col. 6, line 19).

18. In considering claim 19, Sandick teaches: routing hardware (14), (col. 4, line 65-col. 5, line 38).

19. In considering claim 20, Sandick further teaches: optical hardware, (col. 7, lines 13-41).

20. In considering claim 21, Sandick teaches a method for interfacing with a network device, the method comprising: receiving a command in a first format, wherein the command is directed to the network device, (col. 6, lines 34-61); determining a device characteristic for the network device, (col. 6, lines 34-61); and providing the configuration command to the network device, (col. 6, lines 34-61).

Although the teachings of Sandick show substantial features of the claimed invention they fail to expressly disclose: translating the command from the first format to a second format by using an accessed configuration schema associated with the network device.

Nevertheless, in a similar field of endeavor, Little teaches a command line interface abstraction engine in which XML-based commands are translated to CLI-based commands for an embedded system, (page 1, paragraph 8), by means of a DTD-schema (page 4, paragraphs 63-65).

Thus, given the teachings of Little, it would have been obvious to a person of ordinary skill in the art to modify the teachings of Sandick with Little to show translating the command from the first format to a second format by using an accessed configuration schema associated with the network device. This would have advantageously allowed for providing generalized commands, (Little, page 1, paragraph 7) and ensured a description of the configuration data stored was constructed and named in a conformant manner, (Little, page 4, paragraph 63).

21. In considering claim 22, Little teaches the first format comprising an XML-based format, (page 1, paragraph 8). One of ordinary skill in the art would modify Little with Sandick for the reasons indicated in considering claim 21.

22. In considering claim 23, Little teaches the second format comprising a CLI-based format, (page 1, paragraph 8). One of ordinary skill in the art would modify Little with Sandick for the reasons indicated in considering claim 21.

23. Claims 4, 15, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandick and Little in view of Freebersyser et al. (hereinafter Freebersyser), U.S. Patent 6,678,370.

24. In considering claim 4, although the teachings of Sandick disclose substantial features of the claimed invention, they fail to expressly disclose: the characteristic comprising one of: manufacturer identity, model identity, and OS version.

Nevertheless, determining the characteristic of devices, wherein the characteristic comprises one of manufacturer identity, model identity, and OS version, was well known in the art at the time of the present invention. The teachings of Freebersyser disclose a data extraction process comprising: determining the characteristic of a switch, wherein the characteristic comprises manufacturer identity, model identity, and OS version, in the selection of a particular program, (col. 10, lines 11-29).

Thus, it would have been obvious to a person of ordinary skill at the time of the present invention to modify the teachings of Sandick to show the characteristic comprising one of: manufacturer identity, model identity, and OS version. This would have provided an efficient means for accessing configuration schema corresponding to the determined characteristic for the router, (Sandick, col. 6, lines 43-52, Freebersyser, col. 10, line 42-col. 11, line 11).

25. In considering claim 15, although the teachings of Sandick disclose substantial features of the claimed invention, they fail to expressly disclose: the characteristic comprising one of: manufacturer identity, model identity, and OS version.

Nevertheless, determining the characteristic of devices, wherein the characteristic comprises one of manufacturer identity, model identity, and OS version,

was well known in the art at the time of the present invention. The teachings of Freebersyser disclose a data extraction process comprising: determining the characteristic of a switch, wherein the characteristic comprises manufacturer identity, model identity, and OS version, in the selection of a particular program, (col. 10, lines 11-29).

Thus, it would have been obvious to a person of ordinary skill at the time of the present invention to modify the teachings of Sandick to show the characteristic comprising one of: manufacturer identity, model identity, and OS version. This would have provided an efficient means for accessing configuration schema corresponding to the determined characteristic for the router, (Sandick, col. 6, lines 43-52, Freebersyser, col. 10, line 42-col. 11, line 11).

26. Claims 8-11, 27, are rejected under 35 U.S.C. 103(a) as being unpatentable over Sandick and Little in view of Hansen, U.S. Patent 5,819,042.

27. In considering claims 8 and 27, although the teachings of Sandick disclose substantial features of the claimed invention, they fail to expressly disclose: retrieving primary commands, subcommands and bounds for the subcommands.

Nevertheless, retrieving primary commands, subcommands and bounds for the subcommands for a network component was well known in the art at the time of the present invention. In a similar field of endeavor, Hansen teaches a method and apparatus for guided configuration of unconfigured network and internetwork devices

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comprising: retrieving a script for a network component, the script comprising primary commands, subcommands and bounds for the subcommands, (col. 2, lines 38-58, col. 5, lines 39-67, and col. 6, line 50-col. 8, line 39).

Thus, it would have been obvious to a person of ordinary skill at the time of the present invention to modify the teachings of Sandick to show retrieving the command set comprising retrieving a set of primary commands, subcommands for each of the primary commands, and bounds for the set of subcommands. This would have advantageously simplified the task of configuring the network component, (Hansen, col. col. 2, lines 14-37).

28. In considering claim 9, the combined teachings of Sandick and Hansen provide a means for identifying a command array in the command set, wherein the command array includes a primary command and a subcommand associated with the primary command (Sandick, col. 4, line 65-col. 5, line 38, Hansen, col. 2, lines 38-58, col. 5, lines 39-67, and col. 6, line 50-col. 8, line 39); extracting the primary command from the command array (Sandick, col. 4, line 65-col. 5, line 38, Hansen, col. 2, lines 38-58, col. 5, lines 39-67, and col. 6, line 50-col. 8, line 39); and extracting the subcommand from the command array (Sandick, col. 4, line 65-col. 5, line 38, Hansen, col. 2, lines 38-58, col. 5, lines 39-67, and col. 6, line 50-col. 8, line 39). One of ordinary skill in the art would combine the teachings of Sandick and Hansen for reasons indicated in considering claim 8.

29. In considering claim 10, the combined teachings of Sandick Little, and Hansen provide a means for: forming an XML object using the extracted primary command and the extracted subcommand. (Sandick, col. 5, line 53-col. 6, line 19, Little, page 1, paragraph 8, and page 4, paragraphs 63-65, Hansen, col. 2, lines 38-58, col. 5, lines 39-67, and col. 6, line 50-col. 8, line 39). One of ordinary skill in the art would combine the teachings of Sandick and Hansen for reasons indicated in considering claim 8.

30. In considering claim 11, although the teachings of Sandick disclose substantial features of the claimed invention, they fail to expressly disclose: configuring the router according to a first set of primary commands, and retrieving a second set of subcommands wherein the first command set and second command set are different.

Nevertheless, configuring a router according to a first set of primary commands, and retrieving a second set subcommands wherein the first command set and second command set are different was well known in the art at the time of the present invention. In a similar field of endeavor, Hansen teaches configuring a router according to a first set of primary commands, and retrieving a second set of subcommands wherein the first command set and second command set are different, (col. 2, lines 38-58, col. 5, lines 39-67, and col. 6, line 50-col. 8, line 39).

Thus, it would have been obvious to a person of ordinary skill at the time of the present invention to modify the teachings of Sandick to show configuring the router according to a first set of primary commands, and retrieving a second set of

subcommands wherein the first command set and second command set are different. This would have advantageously simplified the task of configuring the network component, (Hansen, col. col. 2, lines 14-37).


### ***Conclusion***

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hassan Phillips whose telephone number is (571) 272-3940. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**ZARNI MAUNG**  
**SUPERVISORY PATENT EXAMINER**